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**BEFORE THE UNITED STATES DISTRICT COURT**

Prescilla Skank

199 N State Road 23 (PO Box 23)

Otisville, Michigan 48463

**Plaintiff**

**V.**

Case: 2:23-cv-13190

Assigned To : Murphy, Stephen J., III

Referral Judge: Altman, Kimberly G.

Assign. Date : 12/12/2023

Description: CMP SKANK V.

INTERNAL REVENUE SERVICE ET AL (DJ)

Internal Revenue Service

Department of the Treasury

477 Michigan Avenue

Detroit, Michigan, 48226

IRS Commissioner

Department of the Treasury

477 Michigan Avenue

Detroit, Michigan, 48226

Serve on Secretary of the Treasury Personally

**SOCIAL SECURITY ADMINISTRATION**

2021 W Carpenter Rd

Flint, MI 48505

**Defendants**

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COMPLAINT TO CLARIFY BILLING ERROR, TO  
VOID CLAIM OF DEBT, TO STOP RETALIATION-BASED BULLYING,  
AND FOR OTHER RELIEF

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Comes now Prescilla Skank, Pro Se, and presents this Amended Complaint to Clarify Billing Error, to Void Claim of Debt, and for Other Relief. This complaint also seeks relief from retaliatory bullying, misuse of social security payments, and unjust association with tax matters exclusively pertaining to her daughter, for which she has no legal responsibility. In furtherance thereof, this complaint requests a remand to the agency for further proceeding and record corrections, and states as follows:

FACT PLEADING

1. The Plaintiff, Prescilla Skank, Pro Se, brings this action against the Defendants, the Internal Revenue Service and the Internal Revenue Service Commissioner, alleging grievances arising from actions taken by the Defendants related to tax assessment, Notice of Federal Tax Lien filing, breaches of privacy rights, undue hardship, and doubts as to liability. This action additionally addresses retaliatory bullying and unlawful

garnishment of Social Security Payments related to tax matters concerning her daughter, in which the Plaintiff has no involvement or liability.

2. The Plaintiff avers that the Defendants have infringed upon Prescilla Skank's privacy rights under the laws of the State of Michigan and federal regulations, including the Privacy Act. This infringement extends to unlawful pursuit and bullying regarding tax matters related to her daughter, clearly demonstrating a lack of due process and a disregard for the Plaintiff's legal rights and protections.

3. Skank asserts that the Defendants have inaccurately and unjustly assessed a tax liability against her, erroneously linking her to matters exclusively involving her daughter. This assessment and the ensuing actions, including the garnishment of her Social Security Payments, are in violation of both state law protection of consumers/debtors as well as applicable federal regulations.

4. Skank further maintains that the Defendants' actions, including the wrongful implication of debt liability and the filing of the Notice to Nominee of Federal Tax Lien against her, have caused significant harm. This includes the detrimental impact on her creditworthiness, reputation, and financial stability, exacerbated by the Defendants' retaliatory and coercive tactics.

5. Skank contends that the Defendants' actions constitute a severe breach of their duties and obligations, which include ensuring accurate tax assessments and adhering

to privacy and due process rights. The misuse of her personal information and the unlawful garnishment of her Social Security Payments for debts unrelated to her, further underscore this breach.

6. Prescilla Skank specifically emphasizes the substantial doubt as to her liability in this matter, highlighting the lack of legal basis for associating her with the tax liabilities of her daughter.

7. Plaintiff comes for judicial inspection and exhaustion of the transaction where the Defendants have and maintain records on the Undersigned with her personal identifying information and they do business within the meaning of the state laws on the topic such that they must be deemed to be involved in the business of debt collection and owe due process regarding it including addressing billing errors when raised as Plaintiff has raised them here in her challenges (See notice found below at Exhibit A annexed).

8. Remedies have been exhausted inasmuch as the Plaintiff has issued forth notice of billing error and challenge to the perceived records error regarding her identity, standing, status and as to "labelling her" generally as a "tax payer", and DUE PROCESS application issued as well as OIC which have not been adequately answered to date.

**See Exhibit annexed hereto and incorporated herein by reference.**

CONCLUSION

9. The Plaintiff, Prescilla Skank, asserts that this state lawsuit raises valid claims under Federal laws, Michigan Laws, and applicable federal regulations.

10. Prescilla Skank respectfully implores this Honorable Court to evaluate her claims and grant the remedies and relief sought in this state lawsuit.

#### RELIEF SOUGHT

As a preliminary matter it is imperative that the other side submit to this Court a Corporate Affiliations Statement which discloses who they are, who they operate on behalf of as it pertains to the Plaintiff, what their parentage is, and most importantly before they are accorded deference as if they are “the government (ambiguously)” or represent a “government interest” in their endeavors they should declare and disclose under what capacity they operate in seeking and enforcing billing statements against Plaintiff under what seems to be implied at law contract which thereby implied statutes presumed to apply to her of enforcement and other nature that may or may not depending upon their status and capacity and their presumption of the nexus with her person and the interest that they are pursuing by which liability has seemingly landed at her proverbial doorstep. They should also be required to submit a Corporate Disclosure Loss Statement as it pertains to the alleged debt involved so that we can see who, if

anyone, is losing money and what the actual amount due is or was and what the correlating actual amount to be lost may be.

A. Prescilla Skank requests this Honorable Court to issue a declaratory order, declaring that the tax assessment and NFTL filing violate Michigan privacy laws and federal regulations, including the Privacy Act.

B. Prescilla Skank seeks a declaration from the Court that the Defendants' actions have adversely impacted her credit rating and necessitate appropriate remedies to rectify the incurred damage.

C. Prescilla Skank petitions for an immediate injunction to cease the garnishment of her Social Security Payments, which are being unjustly used to offset alleged debts related to her daughter's tax matters.

D. Prescilla Skank urges the Court to order the Defendants to either void the records completely if they cannot reveal and reconcile how they came to the conclusion that Plaintiff is taxable OR if and only if they can do that compel that they negotiate a fair compromise, considering the accurate tax filing that rectifies any erroneous information.

E. Prescilla Skank requests an award of attorney's fees and costs incurred in pursuing this lawsuit.

F. Prescilla Skank requests additional relief in the form of compensatory damages for the undue stress, financial hardship, and reputational damage caused by the Defendants' wrongful actions.

G. If needed, where there is no adequate remedy at law if such fact is found, impress a trust upon the Defendants and by and through the use thereof cause the relief sought to be provided to Plaintiff **and it is perfectly fine for the Court to remand the matter to the agency to resolve, void, and restore funds (disgorge funds to Plaintiff if any taken), and to close the matters in resolution of the Complaint so long as functionally equivalent outcome is achieved intra-agency whereas if the Court uses this option the court should retain jurisdiction to oversee that its intent/the intent of this submission is carried out.**

Respectfully submitted,



\_\_\_\_\_/s/\_\_\_\_\_/x\_\_\_\_\_/ [L.S./SEAL]

Prescilla Skank  
(previously known as Vivian Leigh Henson)  
199 N State Road 23 (PO Box 23)  
Otisville, Michigan 48463  
Cell Phone: 810-908-5307  
Email: [fabvivian555@gmail.com](mailto:fabvivian555@gmail.com)

## EXHIBIT A

FORMAL REQUEST FOR COLLECTION DUE PROCESS AND  
CHALLENGE UNDER THE PRIVACY ACT  
(APPEAL AND NOTICE OF SUIT TO THE USDC)

Date of Submission: Dispatched via  
USPS Certified Mail, Prepaid on 12/4/2023

FROM:  
Prescilla Skank  
199 N State Road 23 (PO Box 23)  
Otisville, Michigan 48463  
Cell Phone: 810-908-5307  
Email: [fabvivan555@gmail.com](mailto:fabvivan555@gmail.com)

Directed to:  
Internal Revenue Service  
Department of the Treasury  
477 Michigan Avenue, Detroit, Michigan, 48226

Additionally to:  
Office of Tax Appeals Division  
C/O 477 Michigan Avenue, Detroit, Michigan, 48226  
Attention: Direct Supervisor

SOCIAL SECURITY ADMINISTRATION  
2021 W Carpenter Rd  
Flint, MI 48505  
Attention: Principal Officer Personally

Social Security Administration  
Office of Earnings & International Operations  
P.O. Box 17775  
Baltimore, MD 21235-7775  
Attention: Principal Officer Personally

Subject Matter: Comprehensive Appeal for Administrative Process Review, Suggestion for Offer in Compromise, Notice of Objection, and Declaration of Intent for Legal Action; Challenge to Record Accuracy under the Privacy Act [This Enumerated Complaint for Administrative Exhaustion and Proposal for Offer in Compromise and Notice of Intent to



Sue due to the lawful Protest included herein in accord with Administrative Exhaustion Protocols promoted and promulgated for use in these situations ...]

Esteemed IRS Representatives and SSA

BASED UPON THE FOLLOWING OPPOSITION, WHICH IS PROPOSED BY VIVIAN HALL (Daughter of the Undersigned), PRESCILLA SKANK OPPOSES AND OBJECTS TO ATTEMPTS TO BILL HER FOR DEBTS INCURRED BY OTHERS AND FOR WHICH SHE HAS NOT DIRECT NOR VICARIOUS LIABILITY OF ANY KIND. SHE ACCUSES AND DEEMS THE AGREGIOUS ACTS OF COLLECTION AGAINST HER TO BE RETALIATION AGAINST HER FOR ACTS OF ANOTHER PERSON OF WHICH SHE HAS NO KNOWLEDGE AND WHICH DEBTS THE UNDERLYING PARTY CLAIMS AND ASSERTED THAT IRS AND ITS SUBSIDIARIES HAVE NO RIGHT TO COLLECT UPON. You IRS folks have caused, and the SSA has acquiesced in, the taking of my social security benefits without right and without due process. This is notice of intent to sue the agencies and the individuals who made or rigged the administrative records to make the acts seem warranted or justified.

This is notice to you all and by and through you all to all whom it may concern. This is COLLECTION DUE PROCESS DEMANDED HEREIN SEEKING DISCHARGE &/OR RELEASE IMMEDIATELY DUE TO FURTHER HARDSHIP IMPOSED CAUSING FINANCIAL INJURY. I am presenting this formal request and challenge, motivated by significant financial distress and hardships that have arisen due to the actions of the Internal Revenue Service (IRS). This comprehensive document asserts my rights and outlines my concerns, following the protocols for administrative exhaustion as stipulated by the IRS. In relation to this with every due respect just to be thorough I also communicate herein the need for (a) corporate affiliation disclosures from you so that I know who you are and whose interests you purport to represent for the record, and (b) corporate loss disclosure statement as it pertains to this particular transaction or transactions to see what the actual loss if any involved here is inasmuch as it seems asserted that I have a commingled interest in the outcome or primary or guarantor or nominee liability here for the record:

1. Personal Identification and Accuracy Concerns:

- Identification: Prescilla Skank (formerly Vivian Leigh Henson).
- Contact Details: As mentioned above.
- Issues regarding inaccuracies in IRS assessments, constituting a violation of the Privacy Act's mandate for precise and complete record-keeping.
- An urgent request for the rectification of these inaccuracies in my tax records.

2. Appeal for Review and Adjustment of Penalties:

- A strong request to reassess and review the IRS's current findings and decisions.
- Detailing the period under dispute with comprehensive objections and justifications.
- Rejection of the FTR notice 6702 that imposed a \$10,000 penalty, citing its inapplicability and requesting its reconsideration.

**3. Detailed Objection, Appeal, and Request for Debt Relief:**

- A thorough objection to any PENALTY IMPOSED IN PLACE OF PRIOR ASSESSMENT or related to any assessment
- Demand for relief from the proposed debt, pending an accurate and equitable reassessment due to substantial inaccuracies and breaches of the Privacy Act.

**4. Suspension of Liens and Taxpayer Status Investigation:**

- A request for the immediate halt of any liens or enforcement actions while these matters are under review and correction.
- A call for an in-depth examination and clarification regarding the determination of my taxpayer status.

**5. Proposition for Settlement and Resolving Disputes:**

- Proposing the removal of tax liens, SSA Social Security Benefits and pay garnishment, and adjustments to tax obligations.
- Submission of an Offer in Compromise to resolve outstanding tax disputes.

**6. Pursuit of Administrative Remedies and Regular Updates:**

- A commitment to fully explore all available administrative remedies, including the right to appeal.
- Anticipation of regular updates on the progress of complaint resolution and the assessment of the Offer in Compromise.

This submission is an encapsulation of my strong objection to the current tax assessments, penalties, and IRS processes, supported by legal challenges under the U.S. Constitution and the Privacy Act. It also signifies my readiness to pursue legal avenues should an amicable and equitable resolution not be forthcoming through administrative means. Please grant release and discharge. During the period of records correction communication and appeal/exhaustion as well as Judicial Review suspend the LIEN, the NOTICE OF LIEN, and Enforcement activities of any kind. And as record correction relief I seek suppression altogether and nullification of all adverse decisions and impact to the Undersigned. Concurrently herewith USDC suit is filed to preserve the filing date and comply with the deadlines imposed through the APA and other regulatory considerations.

**CAP Procedures**

If your only collection contact has been a notice or telephone call:

- Call the IRS telephone number shown on your notice

- Explain why you disagree and that you want to appeal the decision
- Be prepared to discuss your case and have all relevant information handy
- Before you can start the appeals process with the Office of Appeals, you will need to first discuss your case with a Collection manager, unless the appeal involved a rejected, proposed for modification, modified, proposed for termination or terminated installment agreement

If you have already been in contact with a revenue officer:

- Call the revenue officer you've been dealing with
- Explain why you disagree and that you want to appeal the decision
- Be prepared to discuss your case and have all relevant information handy
- Before you can start the appeals process with the Office of Appeals, you will need to discuss your case with a Collection manager, unless the appeal involved a rejected, proposed for modification, modified, proposed for termination or terminated installment agreement
- Complete Form 9423, Collection Appeals Request **PDF [submitted]**
- Submit the completed Form 9423 to the revenue officer within 3 business days of your conference with the Collection manager

Note that the Undersigned chooses more than Collection Action Protest or Collection Action Review. The nature of this submission is protest, notice of intent to sue, and notice of application to suppress collection action and to suspend the same, the assessment, the self-assessment that all is based on, and to provide redress for the errors in the records and billing.

You are entitled to a Collection Due Process (CDP) hearing with Appeals if the IRS sends you a notice that states you have the right to request a CDP hearing, such as:

- Notice of Federal Tax Lien Filing and Your Right to a Hearing Under IRC 6320
- Final Notice - Notice of Intent to Levy and Notice of Your Right to A Hearing
- Notice of Jeopardy Levy and Right of Appeal
- Notice of Levy on Your State Tax Refund – Notice of Your Right to a Hearing
- Post Levy Collection Due Process (CDP) Notice

#### **CDP Procedures**

- You generally have 30 days from the date of the notice to timely request a CDP hearing
- Complete Form 12153, Request for a Collection Due Process or Equivalent Hearing **PDF**
  - It's important to identify all the reasons for any disagreement you have
- Send the completed Form 12153 to the same address that is shown on your CDP Notice
- **If your request is timely made, you will be entitled to an Appeals hearing and to seek judicial review of that hearing with the Tax Court**
- **If your request is timely, IRS levy action is generally suspended against you for the tax periods you appealed**

- **If your request is not timely, you are still entitled to request a CDP Equivalent Hearing with Appeals within the 1-year period described in the Form 12153. However, if you still disagree with the Appeals decision in the Equivalent Hearing you have no right to judicial review by the Tax Court**

The law states that as to the issues raised herein according to the IRS, "a letter [or Notice] challenging and/or seeking appeal [exhaustion] should include the following:

Taxpayer's name, address, and contact information.  
The fact that an appeal is desired and thereby taken.

The law states and directs that: "[Y]ou may use the CAP process if you are involved in any of the following collection actions:

- Notice of "PENALTY IMPOSED", filed or proposed to be filed
- Levy action, taken or proposed
- Rejection of Installment Agreement
- Termination of Installment Agreement
- Modification of Installment Agreement
- Disallowance of taxpayer request to return to levied property
- Seizure".

In closing, without agreeing to or stipulating to, any liability claimed and asserted:

To be specific the obligation claimed is accepted for value and the Undersigned unconditionally promises to pay all just obligation without delay upon permission of presentment and/or inspection of the original contract and commercial agreement instruments creating the liability claimed and in the event where (a) it has been reassigned, and/or (b) where the same are predicated upon self analysis and self-reporting, the underlying and resulting delegations of authority transfers and designation contract and commercial agreements should be presented or exhibited for inspection

that found the presumption of and obligation basis of the demands for payment including any analysis and label as "tax payer" accorded the Entity or any individual associated. To be specific in the letter it states that the Undersigned was identified as the "nominee" within the meaning of the Tax codes and IRC and as such responsible for the obligation to pay, or perform, and guarantee that such will be done under penalty of adverse action for non-performance. The intent here is not repudiation but rather lawful authentication of obligation request. As a routine matter provisions waiving presentment and notice of dishonor, notice of demand for payment, notice of default, and notice of protest are STRICKEN from transactions and documents that the Undersigned endorses or bears any liability upon so she must see and inspect that initialed and stricken provision in an original contract or commercial agreement and inspect endorsements for authenticity as a matter of due diligence and privity verification. She has not the authority to NOT do it and asks the indulgence of this business as she performs her legal duties. The law provides that there is no obligation to read the law in the light least favorable to oneself and in fact 5th and 14th amendment USCA protect one from having to do that. This pertains to "implied at law contracts, agreements, and trusts, as well as In-effect hybrids of any of these alone or in combination as well."

I present an Offer in Compromise Proposal:

a. I propose an Offer in Compromise (OIC) to settle the tax liability alleged. Given the accused "billing errors" in the initial demand letters and processes, I believe that a recalculated tax liability would be significantly lower. Specifically

In good faith, I offer to pay [proposed amount or \$1,000.00] as a one-time settlement of the tax liability. This offer takes into account inaccurate financial records and the rectification of the errors in the initial assessment. There is doubt as to any liability altogether however out of an abundance of caution I seek to eradicate the claim of obligation altogether without dispute processes. I accept the Discount on taxes imposed and concur with the reduction to \$0.00 taxes owed. Within 30 days pursuant to the Privacy Act and records correction demand I am eager to ensure that the issues are appropriately addressed and that a fair resolution is reached. I respectfully request an update on the progress of the review and any actions taken in response to my enumerated complaint and OIC proposal.

Specifically, I would appreciate an update disclosure letter/information regarding the following:

1. Status of Complaint Resolution:

a. Have the inaccuracies in the tax assessment and FTL filing been identified and acknowledged?

b. Is there an anticipated timeline for addressing and rectifying the errors identified in my complaint?

2. Offer in Compromise (OIC) Review:

- a. Has my proposed OIC been received and reviewed by the appropriate department?
- b. Are there any additional documents or information required to facilitate the review of the OIC?

3. Steps Towards Resolution:

- a. What steps, if any, have been taken towards lifting the tax lien and associated notice?
- b. Have there been any developments in negotiating a resolution based on accurate financial records?

I am committed to cooperating fully with the IRS and ensuring that this matter is resolved in a fair and equitable manner. As I continue to explore all available avenues for resolving this issue, I kindly request your timely response and guidance.

Presented in Good faith

/s/x\_\_\_\_\_ [LS./SEAL] for and regarding  
Any interest in and presumed interest in the Taxed Party  
Ms./Mrs. Prescilla Skank  
199 N State Road 23 (PO Box 23)  
Otisville, Michigan 48463  
Cell Phone: 810-908-5307  
Email: [fabvivian555@gmail.com](mailto:fabvivian555@gmail.com)

Copies sent to:  
Collections Department, Internal Revenue Service  
Office of Appeals  
[Other relevant entities as applicable]

Attachments:  
Supporting documents relevant to the case (if applicable)

Dear Clerk,

Please let this be filed and please forward to me sufficient completed summons for the named Defendants and for the Attorney General of the United States.

Thank you in advance and though I have asked to proceed under waiver of prepayment I intend to pay but time was of the essence and I don't have the funds at this exact moment but had not a minute to spare with filing this!

Merry X Mas and Happy New Year.

A handwritten signature in black ink, appearing to be 'PS' with a large, stylized flourish above the 'S'.

Prescilla Skank



## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

PRESCILLA SKANK

(b) County of Residence of First Listed Plaintiff GENESEE COUNTY  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro Se 199 N State Road 23 Otisville, MI 48463

## DEFENDANTS

IRS, Et. Al.

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

COUNSEL ATTY GEN 950 PENNSYLVANIA AVE NW  
Washington, DC 20530

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input checked="" type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
5 USC 706 and ALL WRITS ACT

Brief description of cause:

Complaint for Judicial Review of Final Agency Decisions and 28 USC 2201-2202 Declaratory Relief and injunction

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$  
N/A

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

/s/x

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



Clark  
US DISTRICT COURT  
600 Church St.  
#140  
Flint, MI 48502

RECEIVED  
DEC 12 2023  
US DISTRICT COURT